

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13676 of 2022

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Md. Tarique Anwar, Son of Md. Jalaluddin, resident of village - Kanhaipur,
P.S. - Mokama, District - Patna, presently residing at New Azimabad Colony,
P.S.- Sultanganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Minority Welfare Department, Govt. of Bihar, Patna.
2. The Managing Director Bihar State Building Construction Corporation Ltd. Patna Shastri Nagar, Patna.
3. The Chief General Manager, Building Construction Corporation Ltd. Shastrinagar, Patna.
4. The Deputy General Manager, Building Construction Corporation Ltd. Patna Shastrinagar, Patna.
5. The Bihar State Sunni Wakf Board, 1 Ali Imam Path Haj Bhawan Patna, through Sri Khursheed Anwar Siddiqui, its Chief Executive Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman, Advocate
For the Respondent/s : Mr.Anirban Kundu, SC-24

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 16-09-2022



The petitioner has prayed for the following relief/s :-

- (A) For issuance of appropriate writ/ order or direction quashing the order dated 30.11.2021 issued by the respondent No. 2 the Managing Director , Bihar State Building Construction Corporation Ltd. by which the representation dated 15.10.2021 filed by the petitioner in compliance of the order dated 21.09.2021 passed in CWJC No. 15039/2021 for payment of his due amount of Rs. 2,79,27,082/ + Rs. 68,77,000/ + Rs.16,60,475/ has been rejected as contained in **Annexure-18** to this writ application.
- (B) For issuance of appropriate writ/order or direction commanding the respondents to make payment of Rs.2,79,27,027/ as remaining bill amount for construction of multipurpose Wakf Bhawan G+3 under development Scheme of Hazrat Ghulam Peer MuradShah Wakf near Patna High Court.
- (C) For issuance of appropriate writ/order or direction commanding the respondents to make payment release amount of Rs 68,77,000/ deposited as scanning by the petitioner as for Additional performance Guarantee with regard to the above mentioned construction work.
- (D) For issuance of appropriate writ/ order or direction commanding the respondents to make payment of Rs. 16,60,475 the 8% S.D. on paid amount to the petitioner.



- (E) For issuance of appropriate writ/ order or direction commanding the respondents to make payment 6% difference of G.S.T. since 18.07.2022 on the whole due amount to the petitioner.
- (F) For issuance of appropriate writ/order or direction commanding the respondents to make payment of above mentioned amount to the petitioner with 16% unto date interest.
- (G) For any other relief or reliefs for which the petitioner is found entitled in the opinion of this Hon'ble court.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petitions reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for



the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

The petitions stand disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	19.09.2022
Transmission Date	

